

REPORT OF COMMITTEE ON LEGAL
BIOGRAPHY.

To the President and Members of the Maryland State Bar Association:

The Committee on Legal Biography reports that seven members of the Association departed this life since the last Annual Meeting, viz.:

Bernard Carter, of the Baltimore City Bar.

Austin L. Crothers, of the Cecil County Bar.

Sidney E. Mudd, of the Charles County Bar.

Judge George L. Van Bibber, of the Harford County Bar.

C. Augustus E. Spamer, of the Baltimore City Bar.

Hattersley W. Talbott, of the Montgomery County Bar.

Francis Gantt, of the Calvert County Bar.

In the First, Fourth and Fifth Circuits there have been no deaths among the members of the Association.

We herewith present for preservation among the permanent records of the Association written memorials of the lives and characters of the above-mentioned members.

Respectfully,

WILLIAM J. O'BRIEN,
Chairman.

BERNARD CARTER.

Bernard Carter, born July 20, 1834, in Prince George's County. Mr. Carter was a descendant and a worthy representative of the Calverts, of Maryland, and the Carters, of Virginia. His father, Charles H. Carter, was the son of Bernard Moore Carter, whose father was Charles Carter, of Shirley, on the James River. Charles Carter was the grandson of "King" Carter, as Robert Carter was known in colonial times. Charles H. Carter, the father of Bernard Carter, was, on his mother's side of the grandson of "Light Horse" Harry Lee, the father of Gen. Robert E.

Lee. The mother of Bernard Carter was Rosalie Eugenia, daughter of George Calvert, son of Benedict Calvert and grandson of Charles, the sixth Lord Baltimore. The wife of George Calvert was Rosalie Eugenia Stier, daughter of Henry J. Stier d'Aertzizer, of Antwerp, Belgium, a lineal descendant of Rubens. Mr. Stier fled to this country in 1794 to escape scenes and dangers of the French Revolution, but returned in 1805, when Belgium was annexed to France, to prevent the confiscation of large landed estates in that country. His daughter married Mr. Calvert.

EARLY WON A NAME.

Mr. Carter entered the Preparatory Department of the College of St. James, Washington County, Md., at the age of eleven years, upon the death of his mother. He was graduated from the same College in 1852, taking the degree of bachelor of arts.

Three years later his alma mater conferred upon him the degree of master of arts. His legal studies were pursued at Harvard Law School, then under Professor Parsons and Chief Justice Parker, of New Hampshire. The degree of bachelor of laws was received by Mr. Carter from Harvard in 1855. Then he came to Baltimore, entering the office of J. Mason Campbell, and being admitted to the bar. He lived and practiced here the remainder of his life.

On April 20, 1858, early in his legal career, he married Miss Mary B. Ridgely, daughter of David Ridgely, of Whitemarsh, Baltimore County.

In 1865 he was admitted to the bar of the Supreme Court of the United States. His first argument in that court was made in the case of the Steamer Louisiana, reported in "Wallace's Reports." The ability of Mr. Carter at that comparatively early stage of his career is shown by the fact that he won the unusual compliment from the reporter that his argument was an excellent one.

IN CONSTITUTIONAL CONVENTION OF '67.

Mr. Carter served in a capacity which always after gave him pleasure to recall. He was a member of the Constitutional Convention of 1867, which gave Maryland the basic law that is still in force. In this body he served on the important committee on revision and compilation, to which was referred for arrangement all the sections of the Constitution which had been adopted. This committee's work was to revise and correct before the final adoption of the whole instrument.

As a member of this committee he redrafted that part of Part 4 of Article 4 of the Constitution beginning at Section 27, which provides for the Courts of Baltimore City.

It was a great compliment to be appointed to this committee, as it was not formed **until** the Convention had been in session some time. Judge Richard B. Carmichael, who was president of the body, appointed only those members whose ability and industry in the work of the Convention had proved them to be deserving of the honor.

Despite the fact that Republicans were strongly in power at the time, Mr. Carter entered the lists for State's Attorney of Baltimore, and his name was placed on the Democratic ticket in Baltimore City in 1861. He was defeated, as he was three years later, when he ran for Attorney General of Maryland.

In 1869 and 1870, however, he went to the City Council, and served as chairman of the Ways and Means Committee, and on the new City Hall and Jones' Falls Committees. From 1883 to 1889, he was City Solicitor. He was again given the position by Mayor Hayes in 1900, but resigned after serving a short time, as the result of conflict with his private practice.

From early life Mr. Carter had taken a deep interest in the work of the church to which he was attached, and for this reason, and especially from his knowledge of ecclesiastical history and law, he was for many successive years

elected a delegate to the Diocesan Convention of Maryland, and on several occasions a deputy to the Triennial General Convention of the Episcopal Church, of both of which bodies he was always regarded as a most influential and valuable member, and he was for many years previous to his death a vestryman of Old St. Paul's Church, Charles and Saratoga streets, Baltimore.

When Mr. Carter first came to Baltimore from the Harvard Law School he became associate counsel of the Northern Central Railway Company, through his connection with Mr. J. Mason Campbell, and upon Mr. Campbell's death he was appointed counsel for the road. He afterwards, when this road was acquired by interests friendly to the Pennsylvania Railroad Company, remained its counsel, and for nearly forty years was the senior counsel for all the railroads of the Pennsylvania Railroad Company System in Maryland.

In 1894, upon the death of former Attorney General Charles J. M. Gwynn, he became counsel for the Chesapeake and Potomac Telephone Company. And for many years he was advisory counsel of the United Railways and Electric Company, of Baltimore.

In 1896 Trinity College, Hartford, Conn., conferred the degree of Doctor of Laws upon him.

Mr. Carter was provost of the University of Maryland at the time of, and for eighteen years previous to his death, succeeding the late Severn Teackle Wallis.

At the time of the great Baltimore fire, in February, 1904, Mr. Carter was chairman of the commission to advise with the Governor as to emergency legislation to be recommended to the General Assembly.

The Maryland Bar has lost an exceptionally notable and commanding figure. It would be no exaggeration, indeed, to say that the bar of the whole country has suffered in the loss of such a member. It is in no spirit of mere local pride that such a claim is made for Mr. Carter. As a lawyer he stood in the highest rank of a profession in

which there can be no shams at the top, and which separates the wheat from the chaff by as merciless a process as that by which nature has established her law of the survival of the fittest. Mr. Carter's unusual ability was recognized and appreciated by the bench and bar of other States, but had he practiced in a field of wider opportunities, such as New York, for instance, it is safe to say that his legal reputation would have been second to none in the country.

It has been for years a frequent subject for regretful comment that Mr. Carter's talent could not have been employed in the public service, where they might have been of signal value to the State and the nation, and where they would have gained a recognition commensurate with their character. There was the same feeling in the case of Mr. Wallis, whose exclusion from a higher and broader sphere of activity was justly reckoned as a public loss. But there was this difference between the two cases: Mr. Wallis was not permitted to be all that he might have been to the State; Mr. Carter would not permit himself to be anything but what he was. He was a born lawyer, and his whole heart was in a profession which is an intensely jealous mistress, and which will brook no trifling and no rivals. He doubtless would have made a distinguished and most influential member of the United States Senate, or a diplomatist of the first rank, for he had the intellectual and personal qualities that would have gained him distinction in international politics. But in neither would he have been as happy or as much at home as in what he probably regarded as the broadest and noblest of all lay callings.

Mr. Carter was one of the last survivors of a particularly brilliant era in the history of the Baltimore Bar. His name recalls those of distinguished professional contemporaries or associates, such as S. Teackle Wallis, I. Nevitt Steele, Charles Marshall, John P. Poe, William A. Fisher, William Pinkney Whyte, John K. Cowen, Archibald Stirling, R. Stockett Mathews, William F. Frick, the late Judge

Morris and Reverdy Johnson, some of them known far beyond the limits of the State, and several of them, intellectually and professionally, the peers of any of their legal brethren anywhere in the country. Mr. Carter did not loom big among little men; he was big among big men of his period, and that he held his own in such a brilliant company as we have mentioned is a proof, if there was not a thousand others, of his extraordinary mental endowment and legal equipment. He was not a brilliant orator, wit and litterateur like Mr. Wallis, nor as persuasive a popular speaker as Mr. Whyte, but he was a better lawyer than either, and when he went into action he was a sort of legal dreadnought, carrying armor of the most formidable character, and guns of the largest calibre. He was, in fact, the embodiment of physical and intellectual power, and the opponent who met him, or the spectator who witnessed the combat, knew at once that here was a gladiator fit to measure swords with the best of his kind. With this great force there was combined a personal suavity, a mental adroitness and diplomatic skill and dexterity in defense and attack that made him still more formidable, and led to the undoing of many an adversary. It was as if, in a professional way, he combined the strength of the elephant with the suppleness of the tiger.

Yet with all his love of his profession and his joy in the shock of legal battle, Mr. Carter never forgot that he was a gentleman, and was never untrue to the standards and traditions of his lineage. He came of a long line of distinguished people, both Marylanders and Virginians, and he was by inheritance what we call an aristocrat. But the only sign that he knew it was that he was true to its obligations of personal honor, truth and fidelity. Born in 1834 under a courtlier and more ceremonious civilization, the stately courtesy and urbane manner of that period gave additional distinction to a naturally commanding and imposing presence.

Maryland has lost in Mr. Carter another man of light and leading and professional genius, and has added the name of another son to the long and brilliant roll in her hall of fame.

AUSTIN L. CROTHERS.

Austin L. Crothers was born near Conowingo, Cecil County, in the year 1860. He is the eighth son of Alpheus Crothers and Margaret Aurelia Porter, who lived on a farm of about 150 acres.

Mr. Crothers, coming from sturdy stock, attained large proportions, standing nearly six feet high and built proportionally large, without impressing his casual acquaintance as being stout. As a boy he evinced keen desire for study, and at the public schools and at West Nottingham Academy, where he received a greater part of his education, he laid the foundation then for his future successful life.

After completing his studies he taught school for a time, but soon found that the quiet humdrum of the school room was not at all suited to his ideas of life. Following a natural inclination, he took up the study of law, and finished his course at the University of Maryland, where he was graduated in 1890 with honors, and admitted to the Cecil Bar.

He was elected State's Attorney in the year 1901, and served out his term of four years. In 1897 he was elected to the State Senate to succeed his brother, the late Charles C. Crothers. He immediately became the Democratic leader of his party in that body. He was appointed chairman of the Committee of Finance, and while holding this position he made an impression upon the State officials, which has never been forgotten.

Mr. Crothers was conservative and cautious, but at the same time so logical in his rulings of the committee that his course in every matter was followed with acclaim. He showed a tendency to guard the outlay of the people's